

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his)
capacity as ATTORNEY GENERAL)
OF THE STATE OF OKLAHOMA and)
OKLAHOMA SECRETARY OF THE)
ENVIRONMENT C. MILES TOLBERT,))
in his capacity as the)
TRUSTEE FOR NATURAL RESOURCES))
FOR THE STATE OF OKLAHOMA,)

Plaintiff,)

vs.)

4:05-CV-00329-TCK-SAJ

TYSON FOODS, INC., et al,)

Defendants.)

- - - - -

THE DEPOSITION OF TAMZEN WOOD MACBETH,
produced as a witness on behalf of the Defendants in
the above styled and numbered cause, taken on the 30th
day of October, 2008, in the City of Tulsa, County of
Tulsa, State of Oklahoma, before me, Marlene Percefull,
a Certified Shorthand Reporter, duly certified under
and by virtue of the laws of the State of Oklahoma.

TAMZEN WOOD MACBETH, 10-30-08

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1 things. 4:30PM

2 Q Okay. Is that all you need to know, physical
3 characteristics or would you have to know anything else
4 to do that?

5 A You would need the details of what this is 4:30PM
6 specifically.

7 Q Go ahead and flip to -- flip through that chain
8 and then past one more e-mail. Actually go to the
9 e-mail that that spreadsheet is attached to.

10 A Okay. 4:31PM

11 Q For the record, this is from Jennifer Weidhass to
12 you, Roger Olsen and Dr. Harwood, and it's dated April
13 13, 2008. Do you see that?

14 A Yes.

15 Q Okay. Dr. Weidhass writes to Olsen, to Dr. Olsen, 4:31PM
16 saying, "Please review the attached Excel spreadsheet.
17 I need you to confirm if the North Wind sample ID is
18 the same sample you would like analyzed for 19 of the
19 samples. We do not have any corresponding samples IDs
20 for 16 of the samples." Did I read that correctly? 4:31PM

21 A Yeah.

22 Q We talked earlier about the sample labeling regime
23 in this case?

24 A Yes.

25 Q And it seems, from looking at your documents, that 4:31PM

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1 North Wind used different sample IDs than CDM had. Do 4:31PM
2 you recall that?

3 A No. What happened is -- and I don't know the
4 details of it, Roger Olsen will know, but apparently
5 they labeled things differently. So when Roger would 4:32PM
6 submit a sample request to us, we would say, well, we
7 don't have the samples. And it was because the sample
8 IDs he was using were not the ones they had given us
9 for those particular samples.

10 Q Do you have any idea why that was? 4:32PM

11 A I don't.

12 Q Did you ever ask why that was?

13 A Well, we just would go back and say we don't have
14 these and then once we figured out that there was this,
15 you know, alternate sampling scheme going on where they 4:32PM
16 were labeled the same sample multiple things, then we
17 just made sure to ask him to make sure that it's the
18 sample labels that they provided to us.

19 Q Okay. Go ahead and skip to the next e-mail, which
20 is three pages long. And go to the last e-mail in this 4:33PM
21 packet, which is also three pages long. Go all the way
22 to the end of the packet and count back three pages.
23 That's probably the easiest way to do it. One more
24 page. The other way. Are you looking at an e-mail --
25 top line should be an e-mail from Michelle Andrews to 4:33PM

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